

**UNITED STATES DISTRICT COURT**

## **EASTERN DISTRICT OF TEXAS**

DIVISION: 1 (Beaumont) DATE: May 11, 2018  
DISTRICT JUDGE: Hon. Marcia A. Crone TIME: 10:16 a.m.-10:36 a.m.

BILLY REYNOLDS and MARY REYNOLDS,

**Plaintiffs,**

*versus*

DISH NETWORK, L.L.C.,

Defendant.

CIVIL ACTION NO. 1:18-CV-65

## MINUTE ENTRY: SCHEDULING CONFERENCE

ATTORNEY FOR PLAINTIFFS: J.J. Bragg of Juhan Law Office

ATTORNEYS FOR DEFENDANTS: Rachel Fountain of Daw & Ray, L.L.P., for Dish Network

Michael Forest Nelson of Burt Barr & Associates, L.L.P., for Associated Installation Group, Inc.

Counsel convened in chambers on Friday May 11, 2018, to inform the court of the facts and issues in this negligence action. Plaintiffs Billy Reynolds and Mary Reynolds (collectively, “Plaintiffs”) allege that Defendant Dish Network (“Dish”) subcontracted with the third-party defendant, Associated Installation, Group, Inc. (“AIG”), to install Dish equipment in Plaintiffs’ home and that the installation and/or equipment caused their home to burn down. Defendants deny liability.

Additionally, the court informed counsel that it will strike Plaintiffs' Amended Complaint (Doc. No. 6) because it was improperly filed without leave of court, as leave is required to join

a non-diverse defendant. *See* 28 U.S.C. § 1447. In the Amended Complaint, Plaintiffs, who are citizens of Texas for purposes of determining diversity jurisdiction, brought claims directly against AIG, which is a Texas corporation with its principal place of business in Conroe, Montgomery County, Texas. An order striking the Amended Complaint will be entered separately. Further, the court and counsel agreed to a scheduling order which will govern all future proceedings.

SIGNED at Beaumont, Texas, this 11th day of May, 2018.

  
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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE